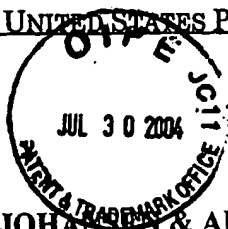




UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov



Paper No. 14

STATTLER JOHANSEN & ADELI
P.O. BOX 51860
PALO ALTO, CA 94303

COPY MAILED

JUL 08 2004

OFFICE OF PETITIONS

In re Application of
Teig et al.
Application No. 09/737,245
Filed: December 13, 2000
Attorney Docket No. SPLX.P0012

ON PETITION

This is a decision on the petition under 37 CFR 1.137(f),¹ filed June 6, 2003, to revive the above-identified application.

The petition is **DISMISSED**.

The petition under 37 CFR 1.137(f) cannot be acted on due to the above-identified application already being abandoned for not timely responding to the non-final Office action mailed on December 4, 2002. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, this application became abandoned on March 5, 2003. Petitioner first needs to resolve that issue before the Office can act on the 1.137(f). Petitioner may wish to submit a petition under 37 CFR 1.137(b), which is enclosed for petitioner's convenience.

A grantable petition under 37 CFR 1.137(b) must be accompanied by:

- (1) the required reply,
- (2) the petition fee,
- (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, and a terminal disclaimer and fee if the application was filed on or before June 8, 1995 or if the application is a design application.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

¹ 37 CFR 1.137(f) provides for revival of a nonprovisional application which became abandoned pursuant to the provisions of 35 U.S.C. § 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational treaty that requires publication of applications eighteen months after filing.

² In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

Effective December 1, 2003, the Office of Petitions can no longer receive hand-carried correspondence, or facsimile transmissions of correspondence. The centralized location for hand-carried correspondence is the existing Customer Window located at:

2011 South Clark Place
Crystal Plaza 1 Lobby
Room 1B03
Arlington, VA 22202

The centralized facsimile number is (703) 872-9306.

Telephone inquiries should be directed to the undersigned at (703) 306-0482.



Liana Chase
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Enclosure: PTO/SB/64 – Petition Under 37 CFR 1.137(b)